

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 10, 2015

Elisabeth A. Shumaker
Clerk of Court

NATIONAL LABOR RELATIONS
BOARD,

Petitioner,

v.

PROFESSIONAL SECURITY OFFICERS
AND INVESTIGATORS OF AMERICA
AND PROFESSIONAL SECURITY
OFFICERS AND INVESTIGATORS OF
AMERICA, LOCAL 101, (DECO, INC.),

Respondent.

No. 15-9517
(NLRB No. 14-CB-126322)

JUDGMENT

Before **LUCERO, EBEL**, and **TYMKOVICH**, Circuit Judges.

This matter is before the Court on the application for enforcement and proposed judgment submitted by Petitioner National Labor Relations Board. The application for enforcement is granted and the proposed judgment filed on March 3, 2015 is adopted by the court and attached to this order.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

PROFESSIONAL SECURITY OFFICERS AND
INVESTIGATORS OF AMERICA AND PROFESSIONAL
SECURITY OFFICERS AND INVESTIGATORS
OF AMERICA, LOCAL 101 (DECO, INC.)

Respondent

No.

Board Case No.:
14-CB-126322

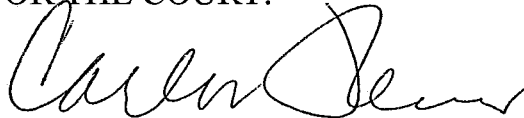
JUDGMENT ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Professional Security Officers and Investigators of America and Professional Security Officers and Investigators of America, Local 101 (DECO, Inc.), its officers, agents, and representatives, enforcing its order dated January 29, 2015, in Case No. 14-CB-126322, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Professional Security Officers and Investigators of America and Professional Security Officers and Investigators of America, Local 101 (DECO, Inc.) , its officers, agents, and representatives, shall abide by said order. (See attached Order and Appendix).

FOR THE COURT:



DATED:

NATIONAL LABOR RELATIONS BOARD

v.

PROFESSIONAL SECURITY OFFICERS AND INVESTIGATORS OF
AMERICA AND PROFESSIONAL SECURITY OFFICERS AND
INVESTIGATORS OF AMERICA, LOCAL 101 (DECO, INC.)

ORDER

Professional Security Officers and Investigators of America and Professional Security Officers and Investigators of America, Local 101, its officers, agents, and representatives, shall

1. Cease and desist from
 - (a) Withholding the refund of special project dues that was collected in July, August and September 2013 to any bargaining unit employees.
 - (b) In any like or related manner restraining or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act
 - (a) Within 14 days of this Order, refund to all unit employees who have not previously received this refund, the amounts collected as special project dues for the months of July, August and September 2013.
 - (b) Within 14 days after service by the Region, post at its business office and other places where notices to its members are customarily posted, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 14, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to members are customarily posted. In addition to physical posting of paper notices, the notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its members by such means. Reasonable

steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material.

- (c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain on your behalf with your employer

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities

WE WILL NOT refuse to refund special project dues that was collected in July, August and September 2013 to any bargaining unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Section 7 of the Act.

WE WILL, within 14 days of the Board's order, refund special project dues that was collected in July, August and September 2013 to all bargaining unit employees who have not received such refunds previously.

Professional Security Officers and Investigators of
America and Professional Security Officers and
Investigators of America, Local 101 (DECO, Inc.)

(Employer)

Dated: _____ By: _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak

confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlr.gov.

1222 Spruce Street, Room 8.302, Saint Louis, MO 63103-2829
(314) 539-7770, Hours: 8 a.m. to 4:30 p.m.

The Administrative Law Judge's decision can be found at www.nlr.gov/case/14-CB-126322 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

